

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NAPOLEON SANDEFORD,

No. C 06-06794 SBA (PR)

Plaintiff,

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
REQUEST FOR AN EXTENSION OF
TIME TO FILE OPPOSITION; AND
GRANTING PLAINTIFF A FINAL BRIEF
EXTENSION**

v.

CHARLES PLUMMER, et al.,

Defendants.

On March 17, 2010, Plaintiff filed another request for a three-week (3-week) extension of time in which to file his opposition to Defendants' Motion for Summary Judgment.

Having read and considered Plaintiff's request, and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff's request for an extension of time is GRANTED IN PART and DENIED IN PART. Plaintiff claims that he only received "part of [his] legal work" since he has been transferred to the federal detention center adjacent to the Federal Correctional Institution in Dublin; therefore, he requests an extension because he anticipates he will be receiving the "rest of [his] legal work . . . this week." (Pl.'s EOT Mot. at 1.) The Court notes that Plaintiff does not specify what documents constitute the "legal work" that he does not have access to and whether they are necessary to help him draft his opposition.

Plaintiff has already received a total of four (4) previous extensions of time to file his opposition. The original deadline for his opposition was January 18, 2010, but it was extended to February 1, 2010 when the Court first granted Plaintiff an extension. Plaintiff was then granted another extension, and he was given until February 15, 2010 to file his opposition. When Plaintiff first informed the Court that he had been transferred to Dublin without his "legal work," the Court issued an Order dated February 16, 2010 granting Plaintiff yet another extension up to and until March 1, 2010 to file his opposition. The February 16, 2010 Order was returned as undeliverable when prison officials in Dublin "could not identify" Plaintiff. Because the wrong identification number had been indicated on the Certificate of Service attached to the February 16, 2010 Order, the

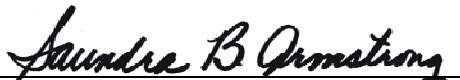
1 Court granted Plaintiff another extension up to and until March 15, 2010. Therefore, on top of the
2 forty-five (45) days Plaintiff originally had to file his opposition, he has already received fifty-six
3 (56) additional days to file his opposition. Nevertheless, the Court finds that a brief extension of
4 time is appropriate. Plaintiff must file his opposition to Defendants' Motion for Summary Judgment
5 no later than **March 22, 2005**. Defendants may file their reply to the opposition no later than
6 **March 29, 2010**.

7 **This is Plaintiff's final extension of time to file his opposition, and no further extensions**
8 **will be granted.**

9 This Order terminates Docket no. 72.

10 IT IS SO ORDERED.

11 DATED: 3/17/10

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13 SAUNDRA BROWN ARMSTRONG
14 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
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6 NAPOLEON SANDEFORD,

Case Number: CV06-06794 SBA

7 Plaintiff,

CERTIFICATE OF SERVICE

8 v.

9 CHARLES PLUMMER et al,

10 Defendant.
11 _____/

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
13 Court, Northern District of California.

14 That on March 18, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
17 located in the Clerk's office.

18 Napoleon Sandeford 97606-011
19 Federal Detention Center
20 5675 8th Street
Camp Parks
Dublin, CA 94568

21 Dated: March 18, 2010

22 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
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